

Message Text

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C O N F I D E N T I A L OTTAWA 0613

E.O. 11652: GDS

TAGS: PFOR, EAIR, CU, AO, CA

SUBJ: CUBANA LANDINGS AT GANDER AIRPORT

REF: OTTAWA 0280 (NOTAL), 0508

1. PAUL LABERGE (DIRECTOR TRANSPORTATION, COMMUNICATIONS AND ENERGY DIVISION, EXTAFF) ON FEBRUARY 13 RAISED WITH TCO QUESTION OF CUBANA TECHNICAL STOPS AT GANDER LAST MONTH. STATED VERY STRONGLY THAT GOC WAS EXTREMELY EMBARRASSED BY RECEIVING WORD OF THESE EVENTS AFTER THEY ALLEGEDLY TOOK PLACE, AND INDICATED THERE WERE CONFLICTING EYE WITNESS REPORTS (WHICH INTELLIGENCE CHANNELS HAD NOT BEEN ABLE TO RESOLVE) AS TO THE NATURE OF PASSENGERS TRANSPORTED ON THESE AIRCRAFT.

2. HE ADVISED THAT GOC WAS UNDER PRESSURE (SOURCE NOT SPECIFIED) TO INSTIGATE INSPECTION SYSTEM FOR CUBANA OPERATIONS THROUGH GANDER. FROM BOTH LEGAL AND OPERATIONAL POINTS OF VIEW EXTAFF WAS HAVING CONSIDERABLE DIFFICULTY DETERMINING IS POSITION. FOR POLICY REASONS, LABERGE SAID IT WOULD BE VERY DIFFICULT TO SINGLE OUT GANDER FOR INSPECTION ARRANGEMENTS WHICH WOULD BE PERCEIVED BY LOCAL INTERESTS AS CONTRIBUTING TO A POSSIBLE REDUCTION IN TRAFFIC THROUGH THE AIRPORT WHICH IS LOCATED IN ECONOMICALLY DEPRESSED AREA OF CANADA. THEREFORE, ANY
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INSPECTION SCHEME WOULD HAVE TO BE NATIONAL IN ITS APPLICA-

TION, AT LEAST IN THEORY. TCO POINTED OUT THAT PROBABLY 95 PERCENT OF THE TRANSITS FOR TECHNICAL STOPS IN CANADA OCCUR IN GANDER, EDMONTON AND MONTREAL, AND PROBABLY 70 PERCENT AT GANDER ALONE. LABERGE ADMITTED TO NOT HAVING THE FIGURES BUT AGREED THAT THIS PROBABLY WAS THE SITUATION. HE ALSO STATED THAT GOC COULD NOT DISCRIMINATE AGAINST CUBANA AND WOULD PROBABLY HAVE TO ESTABLISH A REGIME RELEVANT TO ALL FOREIGN CIVILIAN CARRIERS TRANSITING CANADA. HOWEVER, HE DID ADMIT TO POSSIBILITY OF SAMPLE INSPECTIONS WHICH COULD BE ADMINISTERED IN SUCH A WAY AS TO WEIGH MORE HEAVILY ON CUBAN AND OTHER BLOC AIRLINES.

3. IN ORDER FOR GOC TO DEVELOP AN OPERATIONAL PROCEDURE FOR POSSIBLE INSPECTION, HE ASKED TCO TO OBTAIN COMPREHENSIVE STATEMENT OF U.S. PRACTICE FOR INSPECTION OF CIVILIAN AIRCRAFT IN TRANSIT (THAT IS, MAKING TECHNICAL STOPS AT U.S. AIRPORTS) OUTLINING THE ROLES PLAYED BY ALL FEDERAL AGENCIES INCLUDING BUT NOT LIMITED TO FAA, INS, CUSTOMS, PUBLIC HEALTH SERVICE AND AGRICULTURE.

4. LABERGE ALSO INDICATED THERE WERE SOME LEGAL QUESTIONS ON WHICH USG VIEWS MIGHT BE USEFUL. HE SAID UNDER INTERNATIONAL CONVENTIONS ONE MIGHT CONSIDER AS MILITARY AIRCRAFT, CIVILIAN AIRCRAFT CARRYING MUNITIONS AND ARMED TROOPS. BUT THERE WAS NOTHING IN INTER-NATIONAL LAW WHICH PRECLUDES PERSONS WHO ARE WOUNDED OR INJURED BEING CONSIDERED AS CIVILIANS, EVEN IF THEY ARE TROOPS, SO LONG AS THEY ARE UNARMED. TCO WAS UNABLE TO RESPOND SPECIFICALLY TO THIS POINT.

5. (IN SUBSEQUENT CONVERSATION WITH MEMBER OF LABERGE'S STAFF, TCO LEARNED THAT EXTAFF HAS BEEN MAKING ITS OWN INQUIRIES IN WASHINGTON WITH RESPECT TO U.S. OPERATIONAL PRACTICES, BUT HAS NOT BEEN SUCCESSFUL IN GETTING A COMPREHENSIVE PICTURE. THIS OFFICIAL SUGGESTED THAT IT APPEARED THAT PUBLIC HEALTH REQUIREMENTS MIGHT BE MOST USEFUL APPROACH TO THIS QUESTION.)

6. COMMENT: TCO PROMISED LABERGE TO RELAY HIS REQUEST TO WASHINGTON. EMBASSY RECOMMENDS DEPARTMENT PROVIDE ADEQUATE CONFIDENTIAL

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STATEMENT OF USG VIEWS AND BACKGROUND FOR DISCUSSING LEGAL ASPECTS. WE ALSO RECOMMEND THAT WASHINGTON CONSIDER EXTENDING INVITATION TO GOC TO SEND ONE OR MORE OFFICIALS TO US AIRPORTS RECEIVING SIGNIFICANT AMOUNTS OF TRANSIT TRAFFIC FOR OPERATIONAL DISCUSSIONS OF THIS TOPIC ON THE SPOT. IF ANY WRITTEN MATERIAL ON THE INSPECTION PROCESS CAN BE PROVIDED TO LABERGE, DEPARTMENT MIGHT MAKE IT AVAILABLE FOR PRESENTATION WITH WHATEVER DEGREE OF CLASSIFICATION IS REQUIRED.

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